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*Specializing in Product Distribution to the Retail Trade*

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November 29, 1993

**The Honorable Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street  
Washington, D. C. 20554**

**RE: Limitations on Commercial Time on Television Broadcast Stations,  
MM Docket No. 93-254**

Dear Ms. Searcy:

I am writing to oppose the suggestion in the commission's Notice of Inquiry that time limitations be reimposed on the amount of commercial matter broadcast by television stations.

As Seen On TV, Inc. has been in business for the past three years working with infomercial producers to bring innovative products to the television viewing audience, and eventually to the local consumer by way of sales of television products to the retail trade. We have worked with every type of product being promoted on television, from automotive products to housewares, bakeware and appliances to personal care and health, beauty and fitness items. We have used short television spots to build consumer awareness and long-form shows to educate the consumer about every aspect of the product so to make a well-informed decision about their purchase. The responses we have seen time and time again tell me that consumers want to see our products on the air.

I see no justification for the reimposition of commercial time limitations. The FCC's predictions of expansion in the number of information sources and the markets' response by developing and producing new commercial offerings have proved true. Considering the expanded (and growing) number of information sources, the reimposition of out-dated limitations makes no sense.

In addition, there has been an overwhelming increase in quality and innovation of the commercial programming in response to the 1984 decision. The industry has responded by making better, more informative commercials which have developed a huge following. The imposition of time limitations would stifle the creativity of possible future programming anomalies taking place.

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It is obvious by the response to the infomercial format that the consumer wants the convenience of shopping at home, has no qualms about returning an item they feel is not of quality (thereby regulating that quality by sending the program and product off the air due to poor performance) and wants to try innovative products with little or no risk. I feel the consumer is in ultimate control by the mere fact that a bad product or service will be weeded out quickly and only the best of the lot gets the attention.

Having placed media in programming time slots that had long been deemed "dead" by the networks, the infomercial has significantly increased revenues to the broadcast stations. Smaller stations have been the proving ground for many items, revitalizing their bottom line. The expansion of the infomercial industry has brought new growth to other areas of business, a true explosion for the limping retail industry. In many instances, struggling companies have entered into this arena and have become healthy with this new marketing trend. The industry is employing more and more people, opening up new trade categories and new areas of manufacturing for obsolete facilities. The industry has revitalized products, businesses and the economy.

Infomercials in all forms have increased in popularity tenfold in the past few years, thanks to the competitiveness of the market. The products are better, the productions are classier, the consumer happier than ever before. Imposing time limits on the commercials would harm the credibility, by taking steps backward. The huge potential for misinformation due to time constraints could prove harmful, rather than helpful. Not to mention the potential for consideration of infringing on the right of free speech.

For these reasons, we believe as a general matter, that the Commission should not initiate a rulemaking to consider reimposing time limits on the broadcast of commercial matter. In particular, we believe that no showing has been made of any justification for imposing any limits on the running of program-length commercials by broadcast stations.

Sincerely,



Leonard S. Poncher  
Chairman



Ellis H. Axelrod  
President